

PRIVATE ACTS OF THE FIFTH CONGRESS

OF THE

UNITED STATES,

Passed at the second session, which was begun and held at the City of Philadelphia, in the State of Pennsylvania, on Monday, the thirteenth day of November, 1797, and ended the sixteenth day of July, 1798.

JOHN ADAMS, President; THOMAS JEFFERSON, Vice President of the United States, and President of the Senate; THEODORE SEDGWICK, President of the Senate pro tempore, from the twenty-seventh day of June; JONATHAN DAYTON, Speaker of the House of Representatives.

STATUTE II.

CHAP. III. — *An Act authorizing the payment of certain sums of money to the daughters of the late Count de Grasse.*

Jan. 15, 1798.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in consideration of the important services rendered to the United States by the late Count de Grasse, there be paid annually, in quarter-yearly payments, during five years from the time of passing this act, out of any moneys in the treasury, not otherwise appropriated, the sum of four hundred dollars to each of the four daughters of the said Count de Grasse, namely, Amelia de Grasse, Adelaide de Grasse, Melanie de Grasse, and Silvie de Grasse, if they shall, respectively, so long live.

Appropriation for each of the four daughters of Count de Grasse.

APPROVED, January 15, 1798.

STATUTE II.

CHAP. IV. — *An Act for the relief of the representatives of William Carmichael, deceased.*

Jan. 15, 1798.

Be it enacted, &c., That in the settlement of the accounts between the United States and William Carmichael, deceased, their late chargé des affaires in Spain, the accounting officers of the Treasury Department be, and they hereby are authorized and directed to place to the credit of the said William Carmichael, the sum of eight thousand two hundred and fifty-eight dollars and seventy-six cents, for and in full of his extraordinary expenses, as chargé des affaires aforesaid, from the twentieth day of May, in the year one thousand seven hundred and eighty-two, to the twentieth day of April, in the year one thousand seven hundred and ninety.

Allowance for extraordinary expenses.

SEC. 2. *And be it further enacted,* That in the settlement of the said accounts, the accounting officers aforesaid shall be, and they hereby are further authorized and directed to credit and allow to the said William Carmichael, at the rate of four thousand four hundred and forty-four dollars and forty-four cents, annually, from the said twentieth day of May, one thousand seven hundred and eighty-two, to the said twentieth day of April, one thousand seven hundred and ninety, in full of all claims for his salary during that period.

Periods and rate of annual compensation.

APPROVED, January 15, 1798.

STATUTE II.

Jan. 15, 1798.

CHAP. V.—*An Act for the relief of North and Vesey, of Charleston, South Carolina.*

Certain duties
refunded to
North and Ve-
sey.

Be it enacted, &c., That the collector of the port of Charleston, in the district of South Carolina, be, and he is hereby authorized and directed to pay to North and Vesey, of the city of Charleston, merchants, the amount of the duties paid by them on so much of a certain quantity of sugars, imported into the said port in the prize ship called the Amity, on the seventh day of April, one thousand seven hundred ninety-six, as shall be proved, to his satisfaction, to have been burnt and destroyed in the said city of Charleston: the said sugars not being liable to the payment of duties, the sale thereof having been prohibited.

APPROVED, January 15, 1798.

STATUTE II.

Jan. 20, 1798.

CHAP. VII.—*An Act for the relief of John Frank.*

Accounts of
John Frank to
be settled.

Be it enacted, &c., That the Accountant for the department of war, be, and he is hereby directed to settle the accounts of John Frank, late a private in the second sub-legion of the army of the United States, and to allow him the same pay and emoluments as a soldier, from the nineteenth day of August, one thousand seven hundred and ninety-four, during the time of his captivity, as he would have been entitled to, had he not been discharged from the public service before he was made prisoner by the Indians.

APPROVED, January 20, 1798.

STATUTE II.

Jan. 23, 1798.

CHAP. IX.—*An Act providing for the payment of the interest on a certificate due to General Kosciusko.*

Interest to be
paid to General
Kosciusko.

Be it enacted, &c., That the Secretary of the Treasury be authorized and directed to pay to General Kosciusko, out of any moneys in the Treasury, not otherwise appropriated, an interest at the rate of six per cent. per annum, on the sum of twelve thousand two hundred and eighty dollars and fifty-four cents, the amount of a certificate due to him from the United States, from the first day of January, one thousand seven hundred and ninety-three, to the thirty-first of December, one thousand seven hundred and ninety-seven.

APPROVED, January 23, 1798.

STATUTE II.

Feb. 2, 1798.

CHAP. XII.—*An Act directing the Secretary at War to place certain persons on the pension list.*

Certain per-
sons to be
placed on pen-
sion list.

Act of Feb. 28,
1793, ch. 17.

Pensioners and
their rates.
N. Hampshire.

Connecticut.

Vermont.

Be it enacted, &c., That the Secretary for the Department of War, be, and he is hereby directed to place on the pension list of the United States, the several persons hereinafter named, who have been returned as pension claimants by the judges of the several districts, pursuant to the act of Congress, passed the twenty-eighth day of February, one thousand seven hundred and ninety-three, entitled, "An act to regulate the claims to invalid pensions," at the rates and proportions annexed to the names of the said persons respectively, that is to say:

Of the district of New Hampshire, Joseph Goodrich, a private, half a pension; Joseph Patterson, a private, half a pension; Cæsar Barnes, a private, one-third of a pension.

Of the district of Connecticut, John Downs, a serjeant, a full pension; Obadiah Perkins, a lieutenant, one-fourth of a pension.

Of the district of Vermont, Joseph Tyler, a private, half a pension; Peter Rider, a corporal, half a pension; Isaac Webster, a serjeant, half a pension; Ephraim Wilmarth, a serjeant, two-thirds of a pension.

Of the district of New York, Stephen Kellogg, a private, a full pension; Garret Oblenis, a private, half a pension; William Scott, a major, a full pension; Finley Stewart, a batteau-man, three-fourths of a pension; Godfrey Sweet, a private, a full pension; Thomas Ward, a corporal, a full pension.

New York.

Of the district of New Jersey, Minne L. Vorheis, a private, half a pension; Samuel Hull, a serjeant, two-thirds of a pension.

New Jersey.

Of the district of Pennsylvania, Robert Wilson, an ensign, one-fourth of a pension.

Pennsylvania.

Of the district of Delaware, Nelce Jones, a corporal, half a pension.

Delaware.

Of the district of Maryland, Philip Casson, a lieutenant, a full pension.

Maryland.

Of the district of Virginia, Joshua Davidson, a dragoon, three-fourths of a pension; Jonathan Dyer, a private, a full pension.

Virginia.

Of the district of North Carolina, Daniel M'Kissick, a captain, half a pension; Ithamar Singletary, a private, one-fourth of a pension; William Simson, a private, half a pension; Joseph Wasson, a private, a full pension.

N. Carolina.

Of the district of Georgia, Herman Bird, a private, one-half of a pension; Thomas Greer, a private, one-half of a pension; John Guthrie, a private, one-half of a pension; Alexander Irvine, a lieutenant, one-half of a pension; Henry Kerr, a captain, one-half of a pension; John Lindsay, a major, a full pension; Hugh Lawson, a captain, one-half of a pension; James Lewis, a lieutenant, one-half of a pension; John Ramsay, a private, one-half of a pension; John Trent, a captain, one-half of a pension; Presley Thornton, a corporal, one-half of a pension.

Georgia.

SEC. 2. *And be it further enacted*, That the pensions allowed by this act, shall be estimated at the same rates, receivable on the same conditions, and payable in the same manner, in all respects, as directed in like cases by the act of the twentieth day of April, one thousand seven hundred and ninety-six, entitled "An Act authorizing and directing the secretary at war to place certain persons therein named, on the pension list."

How these pensions shall be estimated, received, and paid.

Act of April 20, 1796, ch. 15.

APPROVED, February 2, 1798.

STATUTE II.

Feb. 27, 1798.

CHAP. XIII.—*An Act for the relief of William Alexander.*

Be it enacted, &c., That the accounting officers of the treasury be, and they are hereby authorized and directed to settle the accounts of William Alexander, for his services and expenses as a surveyor of army lands, appointed under the ordinance of Congress of July the ninth, one thousand seven hundred and eighty-eight; and that he be allowed such sum for his said services and expenses, as shall be deemed reasonable.

Accounts of Wm. Alexander to be settled.

APPROVED, February 27, 1798.

STATUTE II.

March 19, 1798.

CHAP. XIX.—*An Act for the relief of Silvanus Crowell.*

Be it enacted, &c., That if it shall be proved to the satisfaction of the collector of the port of Barnstable, in the State of Massachusetts, that agreements were made according to the direction of the act, entitled "An Act concerning certain fisheries of the United States, and for the regulation and government of the fishermen employed therein," between the masters and fishermen employed on board the schooners Jerusha, Phoebe, and Ruth, belonging to Yarmouth, in the State aforesaid, countersigned by the owners, or their agent, for a fishing voyage, in the year one thousand seven hundred and ninety-six; and that the said agreements were casually destroyed by fire; then, and in such case, the

Allowance to Silvanus Crowell.

Act of Feb. 16, 1792, ch. 6.

said collector is authorized and directed to make and pay to the said Silvanus Crowell, or other agent of the owners of the said schooners, such allowance as they would have been entitled to, under the act aforesaid, provided the said agreements had been produced to said collector.

APPROVED, March 19, 1798.

STATUTE II.

April 27, 1798.

Settlement
with heirs of
W. Carmichael.

CHAP. XXXII.—*An Act making an appropriation for the payment of a balance found due to the legal representatives of William Carmichael, deceased.*

Be it enacted, &c., That the sum of nine thousand six hundred and sixty dollars, and fourteen cents, be, and the same hereby is appropriated out of any moneys in the Treasury of the United States, not otherwise appropriated, for discharging the balance found due to the legal representatives of William Carmichael, deceased, late Charge des Affaires from the United States in Spain, upon the settlement of the accounts between the said William Carmichael and the United States.

APPROVED, April 27, 1798.

STATUTE II.

May 4, 1798.

CHAP. XL.—*An Act for the relief of Obadiah Brown.*

To be placed
on pension list.

Be it enacted, &c., That the Secretary for the Department of War, be, and he is hereby directed to place upon the list of invalid pensioners of the United States, at the rate and proportion of one-fourth of a pension, the name of Obadiah Brown, late a private soldier, who has been returned as an invalid by the judge of the district of New York, pursuant to an act of Congress, passed the twenty-eighth day of February, one thousand seven hundred and ninety-three, entitled "An act to regulate claims to invalid pensions."

Rate of pen-
sion, &c.

SEC. 2. *And be it further enacted,* That the said pension shall be estimated at the same rate, receivable on the same condition, and payable in the same manner, in all respects, as directed in like cases, by an act, passed at the present session, entitled, "An act directing the Secretary at War to place certain persons on the pension list."

Act of Feb. 2,
1798, ch. 12.

APPROVED, May 4, 1798.

STATUTE II.

May 8, 1798.

CHAP. XLI.—*An Act directing the payment of a detachment of militia, for services performed in the year one thousand seven hundred and ninety-four, under Major James Ore.*

Accounts of
certain militia to
be settled.

Be it enacted, &c., That the proper accounting officers be, and they are hereby authorized to settle the accounts of the militia who served on an expedition commanded by Major James Ore, against the lower Cherokee Indians, in the year one thousand seven hundred and ninety-four; and that the same be paid out of any moneys in the Treasury, not otherwise appropriated.

APPROVED, May 8, 1798.

STATUTE II.

May 14, 1798.

Wm. Imlay to
be allowed for
extraordinary
clerk-hire in his
office.

CHAP. XLIV.—*An Act for the relief of William Imlay.*

Be it enacted, &c., That the accounting officers of the Treasury be, and they are hereby authorized and directed, to liquidate and settle the claim of William Imlay, Esquire, Commissioner of Loans for the State of Connecticut, for extraordinary clerk hire in his office, from the first day of April, one thousand seven hundred and ninety-five, to the thirty-first of March, one thousand seven hundred and ninety-six, in making transfers of the stock standing to the credit of the State of Connecticut, to the creditors of said state, pursuant to the act of Congress of the

second day of January, one thousand seven hundred and ninety-five; and that they allow him therefor, a sum not exceeding one hundred and fifty-five dollars and seventy-six cents.

APPROVED, May 14, 1798.

1795, ch. 10.

CHAP. XLV.—*An Act for the relief of Joseph Nourse.*

Be it enacted, &c., That there be paid to Joseph Nourse, Register of the Treasury, out of any unappropriated money in the Treasury of the United States, the sum of two hundred and fifty dollars, to indemnify him for the extra expense incurred by him in removing his family from Philadelphia, in the years one thousand seven hundred and ninety-three, and one thousand seven hundred and ninety-seven, to avoid the epidemic fever; and the extra expense incurred by him in attending to the business of his office during the same periods.

APPROVED, May 22, 1798.

STATUTE II.

May 22, 1798.

Indemnity to Joseph Nourse.

CHAP. LIX.—*An Act to authorize a grant of lands to Stephen Monot, and others, inhabitants of Gallipolis, therein named.*

Be it enacted, &c., That it shall be the duty of the Surveyor-General of the Northwestern Territory, to survey one thousand two hundred acres of land, beginning on the bank of the Ohio river, at the lower corner of a tract surveyed pursuant to an act of Congress, entitled "An act to authorize a grant of lands to the French inhabitants of Gallipolis, and for other purposes therein mentioned," and running thence down said river along the courses thereof, six hundred and forty poles when reduced to a straight line, thence extending back from the river and parallel to the lower line of the said grant so far as to include the quantity aforesaid. And the said Surveyor-General shall, by lines plainly marked upon trees, divide the said tract into eight equal parts or lots, having each as nearly as may be, an equal front on the river, and designated by progressive numbers, marked on the corners thereof. And the Surveyor-General, when the said lots are laid off and numbered as aforesaid, shall distribute or assign the same by lot, to Stephen Monot, Lewis Anthony Carpentier, Lewis Vimont, Francis Valton, Lewis Philip A. Fichon, Anthony Maquet, Margaret G. C. Champaigne, wife of Peter A. Laforge, and Maria I. Dalliez, wife of Peter Luc, and to their heirs, being inhabitants of Gallipolis, who were prevented from obtaining their proportion of the land granted by the act aforesaid. The said Surveyor-General shall also make out a fair plat of the said tract, and shall designate thereon the said lots marked each with the name of the person to whom the same shall have been assigned by lot as aforesaid, which plat with a certificate of the bounds and courses of the said tract and lots he shall record in his office, and return a copy thereof to the Secretary of State, to be filed in his office.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby authorized and empowered to issue letters patent in the usual form, thereby granting to the persons above named, and to their heirs, the said tract of land to be held by them and their heirs in severalty, in lots designated, numbered and marked as aforesaid.

SEC. 3. *And be it further enacted,* That nothing in this act shall be taken or considered in any manner to affect the claims of the persons herein named against any person or persons, for or by reason of any contracts heretofore made by them, but that the same contracts shall be and remain in the same state as if this act had not passed.

APPROVED, June 25, 1798.

STATUTE II.

June 25, 1798.

Survey to be made of 1200 acres of land.

Act of March 3, 1795, ch. 49.

To be divided into eight parts, &c.

Plats to be made of the tract and lots.

Letters patent to be issued therefor.

Saving of private contracts made with the grantees.

STATUTE II.

July 16, 1798.

CHAP. LXXXVII.—*An Act authorizing the grant and conveyance of a certain lot of ground to Elie Williams.*

Sec. Treasury
authorized to
sell a certain
lot of ground.

Be it enacted, &c., That the Secretary of the Treasury be, and he hereby is authorized to contract with Elie Williams, for the sale of a certain lot of ground, twenty perches in length, and sixteen perches in breadth, situate in the town of Cincinnati, in the territory northwest of the Ohio, it being the same lot on which certain buildings were erected by the said Elie Williams and Robert Elliot, deceased, when contractors for supplying the western army with provisions.

Patent to be
granted.

SEC. 2. *And be it further enacted,* That on payment into the Treasury of the United States of such sum or sums of money as shall have been agreed upon between the said Elie Williams and the Secretary of the Treasury, as the price of the above mentioned lot, the President of the United States be, and he is hereby authorized to grant a patent for the same, to the said Elie Williams, his heirs or assigns.

APPROVED, July 16, 1798.